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Attorneys for Plaintiff,
U.S. SMALL BUSINESS ADMINISTRATION,
as Receiver for PROSPERO VENTURES, L.P.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

U.S. SMALL BUSINESS
ADMINISTRATION, as Receiver for
PROSPERO VENTURES, L.P.,

Plaintiff,

v.

HIGH GROWTH MANAGEMENT, LTD.,

Defendant.

NO. C 07-03735 VRW
Related Cases

No. C 07-3732 VRW
No. C 07-3733 VRW
No. C 07-3736 VRW
No. C 07-3737 VRW
No. C 07-3738 VRW
No. C 07-3739 VRW
No. C 07-3740 VRW
No. C 07-3741 VRW

**APPLICATION FOR TELEPHONIC
APPEARANCE AT THE HEARING
FOR APPLICATION FOR DEFAULT
and ORDER**

Date: April 3, 2008
Time: 2:30 p.m.
Courtroom 6, 17th Floor

TO THE HONORABLE COURT AND ALL PARTIES AND THEIR RESPECTIVE
ATTORNEYS OF RECORD:

Plaintiff, U.S. SMALL BUSINESS ADMINISTRATION, as Receiver for PROSPERO

1 VENTURES, L.P. (hereinafter "Plaintiff"), hereby requests permission to appear telephonically
2 at the hearing regarding the application for default judgment against Defendant HIGH
3 GROWTH MANAGEMENT, LTD. (hereinafter "Defendant"). The hearing for default judgment
4 is made pursuant to Rule 55(b)(1) of the Federal Rules of Civil Procedure.

5 The declarations in lieu of testimony fully support the motion such that a personal
6 appearance materially assists in a determination of the facts. Because Defendant did not file an
7 answer or other responsive pleading, all matters have been admitted.

8 Respectfully submitted,

9 COLEMAN & HOROWITT, LLP

10
11 Dated: March 19, 2008

12 By: /S/ Christine J. Levin
13 CHRISTINE J. LEVIN
14 Attorneys for Plaintiff
15 U.S. SMALL BUSINESS
16 ADMINISTRATION, as Receiver
17 for PROSPERO VENTURES, L.P.
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ORDER

IT IS ORDERED THAT, good cause appearing, Christine J. Levin, counsel for U.S. SMALL BUSINESS ADMINISTRATION, as Receiver for PROSPERO VENTURES, L.P. may appear by telephone at the Motion for Application for Default and Order hearing scheduled on April 3, 2008.

Dated: _____

HON. VAUGHN R. WALKER
UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I declare that I am a resident of the County of Fresno. I am over the age of eighteen (18) years and not a party to the within action. My business address is 499 West Shaw, Suite 116, Fresno, California 93704.

On March 18, 2008, I served the foregoing document described as **APPLICATION FOR TELEPHONIC APPEARANCE AT THE HEARING FOR APPLICATION FOR DEFAULT and ORDER** on the interested parties, addressed as follows:

☒ BY MAIL - by placing ☒ a true and correct copy ☐ the original thereof enclosed in a sealed envelope with postage thereon fully prepaid in the firm's outgoing mail. I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. It is deposited with United States Postal Service on that same day in the ordinary course of business.

☒ BY CALIFORNIA OVERNIGHT - by placing ☐ a true and correct copy ☐ the original thereof enclosed in a sealed envelope for delivery via California Overnight next day delivery to the addressee noted above.

☐ BY HAND DELIVERY - by delivering by hand and leaving a true copy with the person and at the address shown above.


☐ BY FACSIMILE TRANSMISSION - by causing a true facsimile thereof to be electronically transmitted to the parties, by using their facsimile number indicated below.

Facsimile No.

☐ STATE: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☒ FEDERAL: I declare that I am employed in the office of a member of the bar of this court at whose direction service was made.

Executed on March 18, 2008, at Fresno, California.


Lisa R. Barr

Via U.S. Mail

Jerald P. Shaevitz
24175 Dawnridge Dr.
Los Altos Hills, CA 94024

Agent for Defendants,
High Growth Management, Ltd.

Via California Overnight:

Chambers Copies

Hon. Vaughn R. Walker
U.S. District Court, Northern District
450 Golden Gate Avenue
17th Floor, Courtroom 6
San Francisco, CA 94102